



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/492,632	01/27/2000	Ernst-Michael Hamann	GE998-005	1119

7590

10/30/2003

IBM Corporation  
Anne Vachon Dougherty Esq  
3173 Cedar Road  
Yorktown, NY 10598

EXAMINER

ALI, AHMEDUR R

ART UNIT

PAPER NUMBER

2131

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/492,632

Applicant(s)

HAMANN ET AL.

Examiner

Ahmedur Ali

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. The application has been examined. Claims 1-15 are pending in this Office Action.

***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Drawings***

3. The drawings are objected to by the draftsman. A proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

4. The examiner suggests the Applicant's to remove the TITLE of the invention from the Abstract on page 23 accordingly.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-15 rejected under 35 U.S.C. 102(e) as being anticipated by Gibbs et al. U.S. Patent No. 6,085,321 ('Gibbs' hereinafter). With respect to claim 1, Gibbs teach a method for generating a digital signature in a signature device for the signing of documents (see col. 2, lines 10-26), comprising of:

receiving input information (see col. 3, lines 40-49);

creating a signature data set comprising at least the received information and a document extract value of the document for signing (see col. 2, lines 27-24); and

creating an expanded digital signature by encrypting the signature data set with the aid of a signature key (see col. 3, lines 10-30; col. 8, lines 1-9).

7. As per claim 2, wherein said receiving input information comprises procuring the value of a signature counter (see col. 3, lines 55-62; col. 4, lines 52-55).

8. Claim 3 rejected as above in rejecting claim 2, further comprising, prior to said procuring, creating the signature counter as an attribute of the signature key (see col. 3, lines 55-62; col. 7, lines 37-55; col. 8, lines 30-37).

9. Claim 4 rejected as above in rejecting claim 1, wherein the receiving input information comprises procuring an identifying characteristic to identify the signature device (see col. 3, lines 31-49).

10. Claim 5 rejected as above in rejecting claim 4, wherein the receiving input information comprises procuring information as to the hardware and software environment used in creating the digital signature (see col. 6, lines 26-29).

11. Claim 6 rejected as above in rejecting claim 1, further comprising entering an identifying characteristic to identify the holder of the signature key prior to said receiving input information (see col. 8, lines 30-65).

12. Claim 7 rejected as above in rejecting claim 6, further comprising creating the identifying characteristic to identify the holder of the signature key as an attribute of the signature key (see col. 8, lines 30-65).

13. Claim 8 rejected as above in rejecting claim 7, further comprising changing the identifying characteristic to identify the holder of the signature key prior to said receiving (see col. 8, lines 30-65).

14. With respect to claim 9, an electronic signature device (see col. 5, lines 10-27) comprising:

a receiver for receiving input information (see col. 12, lines 42-47; col. 14, lines 27-33).

a data processor component for creating a signature data set comprising at least the received information and a document extract value of the document for signing (see col. 5, lines 10-42); and

an encryption component for creating an expanded digital signature by encrypting the signature data set with the aid of a signature key (see col. 3, lines 10-30; col. 8, lines 1-9).

15. Claim 10 rejected as above in rejecting claim 9, wherein the device is a chipcard (see col. 10, lines 63-67 to col. 11, lines 1-16).

16. With respect to claim 11, a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for generating a digital signature in a signature device (see col. 10, lines 63-67 to col. 11, lines 1-7), said method steps comprising:

receiving input information (see col. 3, lines 40-49)

creating a signature data set comprising at least the received information and a document extract value of the document for signing (see col. 5, lines 10-42).

creating an expanded digital signature by encrypting the signature data set with the aid of a signature key (see col. 3, lines 10-30).

17. With respect to claim 12, and improved digital signature, wherein the improvement comprises the inclusion of additional information in addition to a document extract value of a document for signing (see col. 2, lines 27-34).

18. Claim 13 rejected as above in rejecting claim 12, wherein the additional information comprises information which uniquely identifies it in relation to every other digital signature generated with the same signature key (see col. 8, lines 38-55, 66-67 to col. 9, lines 1-9).

Art Unit: 2131

19. Claim 14 rejected as above in rejecting claim 12, wherein the additional information comprises information as to the signature device with which the digital signature was executed (see col. 8, lines 38-55, 66-67 to col. 9, lines 1-9).

20. Claim 15 rejected as above in rejecting claim 12, wherein the additional information comprises information on the hardware and software environment used in generating the signature (see col. 6, lines 26-29).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brands (U.S. Patent No. 5,521,980) discloses generating a digital signal in a signature device.

Fischer (U.S. Patent No. 5,005,200) discloses a public key/signature cryptosystem with enhanced digital signature certification.

Renaud (U.S. Patent No. 6,021,491) discloses digital signatures for data streams and data archives.

Fishcher (U.S. Patent No. 5,214,702) disclose public key/signature cryptosystem with enhanced digital signature certification.

Zang et al. (U.S. Patent No. 6,516,414) disclose a secure communication over a link.

Angelo et al. (U.S. Patent No 6,119,228) disclose a method for securely communicating remote control commands in a computer network.


Arazi (U.S. Patent No. 5,448,639) discloses a digital signature device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ahmedur Ali whose telephone number is 305-4667. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

ara

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100